

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Christopher Conway	Team: Squad #15	CCRB Case #: 201508539	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Thursday, 10/01/2015 11:45 AM	Location of Incident: 19 Allen Street	Precinct: 05	18 Mo. SOL 4/1/2017	EO SOL 4/1/2017	
Date/Time CV Reported Thu, 10/01/2015 11:45 AM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Thu, 10/08/2015 12:03 PM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Lamont Kirkland	15454	937911	005 PCT
2. POM Jarrell Stevens	24536	953449	005 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Lamont Kirkland	Abuse: PO Lamont Kirkland damaged § 87(2)(b)'s property.	
B.POM Lamont Kirkland	Abuse: PO Lamont Kirkland refused to provide his name and shield number to § 87(2)(b)	
C.POM Jarrell Stevens	Abuse: PO Jarrell Stevens refused to provide his name and shield number to § 87(2)(b)	

### Case Summary

On October 1, 2015, § 87(2)(b) filed this complaint by phone with the Internal Affairs Bureau Command Center, generating original log § 87(2)(b). This case was received by the CCRB on October 8, 2015, under log #§ 87(2)(b).

At 11:25 a.m. on October 1, 2015, PO Lamont Kirkland and PO Jarrell Stevens of the 5<sup>th</sup> Precinct responded to 19 Allen Street in Manhattan for a dispute between a customer and a bus company. PO Kirkland spoke to § 87(2)(b) and § 87(2)(b), § 87(2)(b) who worked at separate companies sharing the same office space, and asked them to provide their business licenses. PO Kirkland allegedly intentionally knocked § 87(2)(b)'s framed business license onto the floor, breaking the glass (**Allegation A**). § 87(2)(b) and § 87(2)(b) then asked PO Kirkland for his name and shield number, which he allegedly did not provide, while covering his shield so they could not read it (**Allegation B**). § 87(2)(b) also alleged he asked PO Stevens for his name and shield number, which he also did not provide (**Allegation C**).

### Mediation, Civil and Criminal Histories

- § 87(2)(b) was offered mediation, but he rejected this § 87(2)(b).
- A FOIL request returned by the New York City Office of the Comptroller indicates that as of October 20, 2015, § 87(2)(b) has not filed a notice of claim in regards to this incident.
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

### Civilian and Officer CCRB History

- This is the first complaint filed by § 87(2)(b) with the CCRB (encl. 08 Board Review).
- This is the first allegation filed against PO Kirkland in his three-year tenure with the New York City Police Department.
- PO Stevens has no substantiated allegations against him in his three-year tenure with the New York City Police Department. § 87(2)(g)

### Finding and Recommendations

#### Recommendations

#### Allegations Not Pleaded

- **Abuse of Authority - Refusal to provide name and shield:** § 87(2)(b) alleged in an unverified phone statement that PO Kirkland refused to provide her with his name and shield. § 87(2)(b) did not want to cooperate further with the investigation or provide her contact information, home address, or further personal information apart from her work number. § 87(2)(g)

#### Allegation A—Abuse of Authority: PO Lamont Kirkland damaged § 87(2)(b)'s property.

Surveillance video footage from inside 19 Allen Street (encl. 06 Board Review) shows that § 87(2)(b) gave PO Kirkland a document encased in a glass frame through a window. PO Kirkland placed the framed document on the edge of the table on the other side of the window.

Shortly after, the frame fell to the ground and broke, and § 87(2)(b) can be seen in the footage pointing at PO Kirkland and gesturing in an angry manner.



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PO Kirkland indicated that he was holding the frame with his fingers, and when he released his fingers the frame slipped off the table. Because it was on the other side of a glass partition, PO Kirkland could not grab it in time. PO Kirkland denied that he intentionally knocked the frame off the table (encl. 04 Board Review).

§ 87(2)(b) did not see the moment the glass broke when it happened, but later he reviewed his surveillance footage and believed that it depicted PO Kirkland intentionally nudging the frame off the table onto the floor (encl. 01 Board Review).

§ 87(2)(b) also did not see the moment the frame broke as it happened, but stated that PO Kirkland “knocked” the table and was informed by § 87(2)(b) it was on purpose (encl. 03 Board Review).

PO Stevens did not see the moment the frame broke (encl. 05 Board Review).

§ 87(2)(g)

§ 87(2)(g)

**Allegation B—Abuse of Authority: PO Lamont Kirkland refused to provide his name and shield number to § 87(2)(b)**

§ 87(2)(b) alleged that after PO Kirkland caused his glass frame to fall and break, he asked PO Kirkland for his name and shield. PO Kirkland allegedly did not respond, and covered his nameplate with his hand. § 87(2)(b) stated he asked numerous times for PO Kirkland’s name and shield, even following him to his RMP, and telling him he would complain about him, and PO Kirkland failed to provide his name and shield.

In her unverified telephone statement, § 87(2)(b) alleged that she also asked PO Kirkland for his name and shield, and PO Kirkland replied that he would not give it to her. Due to a slight language barrier § 87(2)(b) could not corroborate if PO Kirkland did not provide his name and shield number to § 87(2)(b) but she did not independently bring it up.



Team: \_\_\_\_\_

Investigator: \_\_\_\_\_  
Signature Print Date

Supervisor: \_\_\_\_\_  
Title/Signature Print Date

Reviewer: \_\_\_\_\_  
Title/Signature Print Date

Reviewer: \_\_\_\_\_  
Title/Signature Print Date